GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department – Allegations of irregularities and allowed inferior quality in (30) works in Vatsavai, Penuganchiprolu and Chandrlapadu Mandals of Krishna District - Disciplinary proceedings against Sri K.Siva Kumar, formerly Executive Engineer, PRI Division, Vijayawada, now Superintending Engineer on deputation in APMSIDC under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Articles of Charge - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.296 **Dated :02.04.2024.**

Read:

G.O.Rt.No.295. PR&RD (Vig.I) Dept., Dated:02-04-2024

*****

ORDER:-

It is proposed to hold an inquiry against Sri K.Siva Kumar, formerly Executive Engineer, PRI Division, Vijayawada, now Superintending Engineer on deputation in APMSIDC in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).Copies of documents are furnished herewith.

3. Sri K.Siva Kumar, formerly Executive Engineer, PRI Division, Vijayawada, now Superintending Engineer on deputation in APMSIDC is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri K.Siva Kumar, formerly Executive Engineer, PRI Division, Vijayawada, now Superintending Engineer on deputation in APMSIDC, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He, should, therefore, specifically admit or deny each article of charge.

5. Sri K.Siva Kumar, formerly Executive Engineer, PRI Division, Vijayawada, now Superintending Engineer on deputation in APMSIDC, is further informed that if he does not submit his written statement of defence on or before the date specified in para (3) above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri K.Siva Kumar, formerly Executive Engineer, PRI Division, Vijayawada, now Superintending Engineer on deputation in APMSIDC is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any

(P.T.O)

matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Siva Kumar, formerly Executive Engineer, PRI Division, Vijayawada, now Superintending Engineer on deputation in APMSIDC **through** Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve the charges on the individual and furnish a served copy to Govt.,)
Copy to:
The PR&RD (Estt.I) Department.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT SHOWING THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI K.SIVA KUMAR, FORMERLY EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NOW SUPERINTENDING ENGINEER ON DEPUTATION IN APMSIDC.

Charge-I:

That Sri K.Siva Kumar, Formerly Executive Engineer, PRI Division, Vijayawada, (now Superintending Engineer on deputation in APMSIDC) has allowed inferior quality of (4) works "Construction of CC roads Talluru GP of Vatsavai Mandal, Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 28.05.2020 and conducted inspection and proposed for recovery of Rs.23.39 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of AP in **Contempt Case No.1286/2022 in WPNo.21922/2021** filed by Sri Chintala Venkata Sitaramaiah R/o Penuganchiprolu, Krishna District & Kanakapudi Bhaskar Rao, R/o Penuganchiprolu, Krishna District.

Charge-II:

"He has allowed inferior quality of (2) works "Construction of internal CC roads in Anigandlapadu GP & Muchinthala GP of Penuganchiprolu (M), Krishna District " and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 20.05.2020 and conducted inspection and proposed for recovery of Rs.43.94 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of AP in **Contempt Case No.1284/2022 in WPNo.21066/2021** filed by Sri M. Siva Rama Krishna Murthy, Contractor R/o Lingagudem (v) Penuganchiprolu, Krishna District

Charge-III:

"He has allowed inferior quality of the work in "Laying of CC roads and drains in BC Locality of Nawabpet GP of Penuganchiprolu (M), Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 16.05.2020 and conducted inspection and proposed for recovery of Rs.40.02 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment before the Hon'ble High Court of AP in **Contempt Case No.1296/2022 in WPNo.21072/2021** filed by Sri Veldi Appa Rao R/o Subbaiahgudem (v), Penuganchiprolu(M), Krishna District.

Charge-IV:

"He has allowed inferior quality of (9) works in "Construction of CC roads from Konagi Koteswara Rao house to Nukala Venkata Rao house, Turlapati Hanumantharao house to Polla Mahalakshmi house, Popuri Chandraiah house to Thotla Guravaiah house, SK Madharabe house to Sk Bademiya house in Trulapadu village of Chandrlapadu (M), Krishna District and other (8) works in Turlapadu Village, Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 19.05.2020 and

(Continued on Page.4)

conducted inspection and proposed for recovery of Rs.65.89 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment before the Hon'ble High Court of AP in **Contempt Case No.1285/2022 in WPNo.21236/2021** filed by Sri Dasara Venkateswara Rao.

Charge-V:

"He has allowed inferior quality of (4) works in "Construction of CC roads in Bobbellapadu Village of Chandarlapadu (M), Krishna District and two other villages in Chandarlapadu (M), Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 19.05.2020 and conducted inspection and proposed for recovery of Rs.36.55 lakhs in the said works and thereby caused loss to the Government exchequer. hereby unnecessary legal complications have arisen and huge embarrassment before the Hon'ble High Court of AP in **Contempt Case No.1282/2022 in WPNo.25692/2021** filed by Sri Guthikonda Sri Rama Murthy of Krishna District.

Charge-VI:

He has allowed inferior quality of the work "Construction of CC roads and drains in BC Colony of Makkapeta GP of Vatsavai (M) Krishna District " and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 20.05.2020 and conducted inspection and proposed for recovery of Rs.48.95 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment before the Hon'ble High Court of AP in **Contempt Case No.1297/2022 in WPNo.21148/2021** filed by Sri Madineni Venkata Rao R/o Vatsavai Mandal, Krishna District.

Charge-VII:

"He has allowed inferior quality of (7) works in "Construction of CC road & R&B Road to Vaniparthi Venkateswara Rao house in Gudimetla (v) Chandarlapadu (M) Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 20.05.2020 and conducted inspection and proposed for recovery of Rs.34.21 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment before the Hon'ble High Court of AP in **Contempt Case No.1295/2022 in WPNo.26041/2021** filed by Sri Pulla China Venkaiaha, Krishna District.

Charge-VIII:

"He has allowed inferior quality of (2) works in "Laying of CC Roads and drains in Konakanchi Village, Penuganchiprolu Mandal, Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 21.05.2020 and conducted inspection and proposed for recovery of Rs.24.74 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment before the Hon'ble High Court of AP in Contempt Case No.1316/2022 in WPNo.21563/2021 filed by Sri Ganne Nagabushanam. Thus, Sri K.Siva Kumar, while working as Executive Engineer, PRI Division,

(Continued on Page.5)

Vijayawada, (now Superintending Engineer on deputation in APMSIDC) showed his disobedience to the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS(Conduct)Rules 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI K.SIVA KUMAR, FORMERLY EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NOW SUPERINTENDING ENGINEER ON DEPUTATION IN APMSIDC.

BASIS:

Whereas, as per Quality Control norms and procedure, the 1st Quality Control Inspections were conducted in the year 2018 in respect of (32) works in Vatsavai, Penuganchiprolu and Chandarlapadu Mandals of Krishna District and proposed no recovery. At that time Sri K.Siva Kumar, working as Executive Engineer, PRI Division, Vijayawada, (now Superintending Engineer on deputation in APMSIDC) during the inspection time. The said 1st QC reports were intimated to the concerned EE, DEE & AEE. Subsequently, as per the orders, 2nd QC Inspection team has attended the above (30) works and conducted inspections submitted (8) reports dated 28.05.2020, 20.5.2020, 16.5.2020, 19.5.2020, 19.5.2020, 20.5.2020, 20.5.2020 & 21.5.2020 respectively in all (30) works. The 1st QC Team Report has proposed no recovery against the said works, but the 2nd QC Team has proposed for recovery of total an amount of Rs.317.69 lakhs for the above (30) works. Thus, it is evident that he allowed inferior quality of work and thereby caused loss to the Government exchequer. He should have taken proper care, but he failed to discharge his legitimate duties. Thereby unnecessary complications and legal issues have arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of Andhra Pradesh.

(Continued on Page.6)

Thus, the Government Servant, Sri K.Siva Kumar, while working as Executive Engineer, PRI Division, Vijayawada, (now Superintending Engineer on deputation in APMSIDC) failed to obey the orders of higher authorities and gross negligence on his legitimate duties. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS(Conduct)Rules 1964.
Hence, the charges.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI K.SIVA KUMAR, FORMERLY EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NOW SUPERINTENDING ENGINEER ON DEPUTATION IN APMSIDC ARE PROPOSED TO BE SUSTAINED.

***

(1) First QC Inspection Team dated 02.12.2018 & 10.12.2018(for 4 works) in WPNo.21922/2021 in CCNo.1286/2022.
(2)First QC Inspection Report dated:02.12.2018 & 10.12.2018 (for 2 works) in WPNo.21066/2021 CCNo.1284/22.
(3)First QC Inspection Report dated:08.12.2019(for 1work) in WPNo.21072/2011 CCNo.1296/22.
(4)First QC Inspection Report dated:22.02.2018(for 9 works) in WPNo.21236/2021 CCNo.1285/22.
(5)First QC Inspection Report dated:10.12.2018 & 02.12.2018(for 4 works) in W.P.No.25692/2021 CCNo.1282/22.
(6)First QC Inspection Report dated:17.11.2018 (1 work) in WPNo.21148/2021 CCNo.1297/22.
(7)First QC Inspection Report dated 10.12.2018 & 02.12.2018 (7 works) in WPNo.26041/2021 CCNo.1295/22.
(8)First QC Inspection Report dated:27.02.2019 (2 works) in WPNo.21563/2021 CCNo.1316/22.
(9). Second QC Inspection Team in (8) Reports dated 28.05.2020, 20.5.2020, 16.5.2020, 19.5.2020, 19.5.2020, 20.5.2020, 20.5.2020 & 21.5.2020 respectively in all (30) works.
(10) Govt. Memo No.1770122/PRR01-PRE/30/2022-Vig.I-1, dt.11.08.2023 of PR&RD (V.I) Dept & (7) other Govt. Memos.
(11)Letter No.A1/Article of charge on EE-DEE-AEE-AE/2022, dt.26.12.2023, 08.01.2024 & 13.02.2024 of S.E., PR, Krishna Dist.(erstwhile).

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY::ORDER //

SECTION OFFICER

(Continued on Page.7)

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI K.SIVA KUMAR, FORMERLY EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, NOW SUPERINTENDING ENGINEER ON DEPUTATION IN APMSIDC ARE PROPOSED TO BE SUSTAINED

- NIL –

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY::ORDER //

SECTION OFFICER